



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

October 18, 2022

BY ECF

Honorable Victor Marrero
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Adam Justin Banfill, 21 Cr. 468 (VM)*

Dear Judge Marrero,

The Government writes to request an adjournment of the status conference scheduled for October 21, 2022 at 11:00 a.m. and of the expert disclosure and motion schedule. The Government's expert needs additional time to examine the defendant pursuant to Fed. R. Crim. P. 12.2(c)(1)(B), to review the forthcoming final version of the defense expert's disclosures, and to prepare its own expert disclosures pursuant Fed. R. Crim. P. 16(a)(1)(F) and (a)(1)(G). Thus, the Government seeks an adjournment of the status conference, and expert disclosures, and motion schedule. With the defendant's consent, the Government proposes the following schedule:

- December 15, 2022: Deadline for the Government expert disclosures to the defense under Fed. R. Crim. P. 16(a)(1)(F) and (a)(1)(G);
- January 15, 2022: Deadline for any motions under Fed. R. Crim. P. 12 related to the indictment and/or Mr. Banfill's Rule 12.2(b)(1) notice of his intent to introduce expert evidence relating to a mental disease or defect bearing on the issue of guilt.

Should the Court grant this request, the Government further requests that time be excluded under the Speedy Trial Act from October 21, 2022 until the date of the next-scheduled conference. The Government respectfully submits that the proposed exclusion would be in the interest of justice as it would allow the parties to continue negotiations. Defense counsel has no objection to the exclusion of time.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: Camille L. Fletcher
Camille L. Fletcher
Assistant United States Attorney
Southern District of New York
(212) 637-2383

cc: Andrew Dalack, Esq. (via ECF)